conversed about her making her will."
2d. Were you present when Nathan Shipley came to write the will."
3d. How often did you or family visit Agnes Gaither during the last ten years of her life."
4th. How often did Agnes Gaither visit your family during the last ten years."
5th. What was the condition of Agnes Gaither's health when she last visited you, Was she robust and hearty or was she very feeble and weak."
6th. How long did Agnes Gaither remain at your house after the paper marked B. was executed and how long had she been there prior."
7th. Were you present when Nathan Shipley requested your husband to give him, as the agent of Agnes Gaither, the paper marked B."
8th. Did Nathan Shipley call three times for the paper marked B."
9th. How old was Agnes Gaither on the 23d. of August 1841."
Additional interrogatory in chief propounded to the said Ruth Gaither on the part of the defendants on the same day as follows viz.
Did your husband Samuel Gaither ask Agnes Gaither to come and live with him or near him, if yea, what was his object in so doing."
Additional cross interrogatory propounded to the said Ruth Gaither on the part of the plaintiff on the same day as follows, to wit."
Were you present when your husband requested Agnes Gaither to come and live with him, If yea state when and where."
Which said interrogatories having been propounded to the said Ruth Gaither, in their order, on the said twenty second day of May in the year of our Lord one thousand eight hundred and forty four."
1st. To the first interrogatory in chief she answers "I will be sixty the seventeenth of June next."
2d. To the second interrogatory in chief the witness answers "I have known her ever since seventeen hundred and ninety nine."
3d. To the third interrogatory in chief the witness answers "I was not present in the room, I was in my own house in another room, I know nothing that transpired I know nothing but what Agnes Gaither told me after the will was executed She observed when she came out, while sitting in a chair with the will in her hand Ruthy Gaither this is the first will I ever made since I was born of my mother, and she observed that it would be her last, for says she Ruthy, I am so badly fixed and would never have tried to come here but to make a will, they would never let me make a will up there, they will make them for me, Altho I should have been pleased to see you all but I would never have undertaken the journey but to make the will, I was so badly fixed and had no one to drive me down but the youth Duvall; She then observed Now I've got it, I dont know what to do with it, they will destroy it if I take it home, on her saying that I observed. I had never said a word before, say I Aggy, I will put it where not a living soul ever goes but Mr. Gaither or myself if you think proper, says she, Ruthy, thats the very place and I wish you to make me a promise before I put it in your hands, on the honour of a lady and a friend, that you will never let it go out of your hands to male or female, unless I call for it personally, myself."

That was what I promised her myself, for, says she, a hundred chances to one they will find it out and they will send for it, perhaps says she verbally. they will try that, if not, they will write and put my name to it. they are in the habit of doing such things. She held it in her hands and says Ruthy Gaither, I never named my land in this will my reasons for doing so, I never wished to move from that old spot while I am living, and, as I observed before, as sure as they find it out they will tear me up, and I thought it might go as the law directs." "I took the will as she handed it to me and went and put it in the desk and there it lay until after her death."
4th. To the fourth interrogatory in chief the witness answers "I think she was capable, and I think that the blessed God nerved her and prepared her back for the burden."
5th. To the fifth interrogatory in chief the witness answers "she did not say much about it, but I believe she was truly gratified when the will was made, and that the servants were not to serve any one"
+1st. To the first cross interrogatory the witness answers "I was not."
2d. To the second cross interrogatory the witness answers "I was not in the room, I was in the dining room and do not know whether Mr. Gaither handed Mr. Shipley the paper."
3d. To the third cross interrogatory the witness answers "I never visited any myself, I never went there but twice for forty years."
my husband went there until he felt himself an unwelcome guest our children and their wives have been there, and our daughter has been there, I could not say how often."
4th. To the fourth cross interrogatory the witness answers "I really could not say how often, she has been there several times, I may say many times."
5th. To the fifth cross interrogatory the witness answers "Indeed she was right healthy, she was paralytic in her right side, she could walk right well with a cane, she walked into the room to execute the will, she would get up with diffinulty."
6th. To the sixth cross interrogatory the witness answers "I think she came on a Friday or Saturday, and it was either Monday or Tuesday the will was executed, and I think she remained that week out, she stayed, I know more than a week and Mr. Gaither sent her home in a one horse wagon with one of his boys."
7th. To the seventh cross interrogatory the witness answers "I was present on the third application, when Mr. Shipley came to mend a machine, He said "I have come away and forgot the order from Mr. Perry Gaither for the instrument of writing that is in your possession I was present, My husband told him that I had it in possession and that he had nothing to do with it."
8th. To the eighth cross interrogatory, the witness answers "No, sir, he did not,"
9th. To the ninth cross interrogatory the witness answers "I think she was in her eightieth."
To the additional interrogatory in chief the witness answers "He has invited her as a brother, when she had no other friend, Her son was dead, she declined the offer and he did not press it. He has years back. I be-